

REMARKS

Interview Summary

Applicants' representative would like to thank Examiners Hutton and Debrow for the courtesy of extending a telephonic interview on April 2, 2008, about the pending Office Action. During the interview, applicants' representative pointed out support for the claimed subject matter and differences over the cited prior art. No agreement has been reached regarding the patentability of the claims.

Claims

Claims 26, 28-56 and 58-70 and 72-80 were pending when last examined. With this Response, Applicants amend claims 26, 28, 32, 36-43, 46-50, 52-55, 58, 60-66 69, 70, and 75-78. Support for the amendment can be found at least in FIGS. 3-5 and in the corresponding description in the specification. All pending claims are shown in the detailed listing above.

Claim Rejections – 35 USC § 112

Claims 26, 36, 46, 47, 58, 69 and 70 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The examiner could not find support for “updates including the claimed combination of the upper structural element and the updated subset of the lower structural elements.” Office Action of 12/28/2007, at 2.

Applicants would like to point the Examiner's attention to FIGS. 6, 9, 15 and 16 and the corresponding description in the specification of the present application. In particular, FIGS. 6 and 9 illustrate exemplary hierarchical structures that include multiple structural elements (e.g., “Programs” including “Contents” and “Broadcasts” elements, which include “Content” and “Broadcast” elements, respectively). FIGS. 15 and 16 illustrate exemplary updates that include an upper structural element (e.g., “Programs”) and an updated subset of lower structural elements (“Broadcasts” with particular “Broadcast” elements). See also Par.

62 at 15. Thus, applicants believe that the specification provides proper written description of the claimed subject matter.

Claim Rejections – 35 USC § 103

Claims 26, 28-56, 58-70, and 72-80 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. US 2003/0009472 (“Azami”) in view of U.S. Patent No. 6,088,717 to Reed et al. (“Reed”). Applicants respectfully traverse the rejections.

Claim 26, as amended, recites a document management system comprising a document storage device and a document receiving device. The document storage device is configured to store at least one XML electronic document describing metadata related to broadcasting a plurality of television programs. The XML electronic document has a hierarchical structure comprising an upper structural element and a plurality of lower structural elements located below the upper structural element in the hierarchical structure to describe broadcast information and content information for each of the television programs. The document receiving device is coupled to the document storage device to receive updates to the XML electronic document. Each of the received updates includes the upper structural element and updated information for a subset of the plurality of lower structural elements, wherein the received update has an upper structure version value for the upper structural element and a respective lower structure version value for each lower structural element in the subset, the upper structure version value being different from one or more of the lower structure version values.

Azami discloses updating “Lower-Rank” description by providing “Location” information. *See, e.g.,* Azami’s FIG. 9. But Azami fails to disclose that each of the received updates includes the upper structural element and updated information for a subset of the plurality of lower structural elements, wherein the received update has an upper structure version value for the upper structural element and a respective lower structure version value for each lower structural element in the subset. In addition to lacking an update having both the upper structural element and the subset of lower structural elements as discussed in prior

Responses, Azami also fails to disclose an update having an upper structure version value for the upper structural element and a respective lower structure version value for each lower structural element in the subset. Lacking the claimed upper and lower structure version values, Azami cannot disclose the upper structure version value being different from one or more of the lower structure version values.

Reed is also lacking. Reed discloses “notification elements” which “are used to control how a consumer is notified of new information when the object, object update, or object message is transferred.” Col. 20:5-8. Although Reed’s notification elements include a “version value,” Reed fails to disclose that each of the received updates includes the upper structural element and updated information for a subset of the plurality of lower structural elements, wherein the received update has an upper structure version value for the upper structural element and a respective lower structure version value for each lower structural element in the subset, and the upper structure version value is different from one or more of the lower structure version values.

As neither Reid nor Azami discloses the claimed update structure with the upper and lower structure version values, no *prima facie* case of obviousness has been made, and claim 26 should be allowed.

Claims 28-35 depend from claim 26 and should be allowed for at least the same reasons as claim 26.

Independent claims 36, 46, 47, 58, 69, and 70, as amended, require an update structure with upper and lower structure version values which is similar to that discussed above with reference to claim 26. As neither Reid nor Azami discloses the claimed update structure with the upper and lower structure version values, no *prima facie* case of obviousness has been made, and claims 36, 46, 47, 58, 69, and 70 should be allowed.

Dependent claims 37-45, 48-56, 59-68 and 72-80 should be allowed for at least the same reasons as their respective base claims.

CONCLUSION

Applicants respectfully request that the pending claims be allowed and the case passed to issue. Should the Examiner wish to discuss the Application, it is requested that the Examiner contact the undersigned at (415) 772-7493.

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4/28/08

Date

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April 28, 2008

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